

setting means for designating a timing for applying an electronic watermark to said data among a plurality of timings until the data is transmitted by said communication means.

66. (New) A system having a plurality of information devices, comprising:

storage means for storing data;

electronic watermarking means for applying an electronic watermark to said data;

communication means for transmitting said data; and

setting means for designating a timing for applying an electronic watermark to said data among a plurality of timings until the data is transmitted by said communication means.--

#### REMARKS

Claims 1 through 15, 27, 41, 65, and 66 are pending in this application, with Claims 1, 15, 27, 41, 65 and 66 being independent. Claims 16-26, 28-40, and 42-64 have been cancelled without prejudice.

Claims 65 and 66 have been added and Claims 1-7, 10, 15, 27 and 41 have been amended. Applicant submits that support for these amendments can be found in the original disclosure, at least, for example, in Fig. 37 and the corresponding description at pages 35 *et seq.* of the specification. Therefore, Applicant submits that no new matter has been added.

Claims 2 and 16 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains. Specifically, the Examiner objected to the phrase "arbitrarily."

Applicant submits that it is not necessary for the specification to contain *in haec verba* support for claim terms to be enabling. Nevertheless, the claims have been amended to omit that term. Accordingly, Applicant submits that the rejection is moot and requests reconsideration and withdrawal.

Claims 5, 19, 31, 45, and 57 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in such a way as to enable one skilled in the art to which it pertains. The Examiner asserted that it is unclear whether Applicant is claiming that the watermark is removed before output or is embedded during display. It appears that this was intended to be a rejection under Section 112, second paragraph. In any event, the claims have been amended in view of the Examiner's comments, and Applicant believes the claims comply with all provisions of Section 112. Favorable reconsideration and withdrawal of this rejection are requested.

Claims 1-6, 10, 12-19, 22, 24-32, 36, 38-58, 60, and 62-64 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,131,162 (Yoshiura). Claims 8, 9, 11, 20, 21, 23, 34-35, 37, and 61 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshirua, as applied to Claims 1-6, 10, 12-19, 22, 24-32, 36, 38-58, and 60 respectively, in further view of U.S. Patent No. 6,233,684 (Stefik). These rejections are respectfully traversed for the reasons discussed below.

As recited in independent Claims 1, 15, 27, and 41, the present invention includes, *inter alia*, the feature of setting a timing for applying an electronic watermark to data when storing the data in storage means. According to this features, it is possible to apply an electronic

watermark to data at a timing according to a purpose. Applicant submits that the cited art fails to disclose or suggest at least this feature.

Yoshiura merely discloses that an electronic signature is embedded by either a provided or a certified user. That patent does not disclose or suggest at least the feature of setting a timing for applying an electronic watermark to the data when storing the data in storage means, as recited in Claims 1, 15, 27, and 41. 1

Stefik likewise fails to disclose or suggest at least that feature and fails to remedy the deficiencies of Yoshiura. Stefik merely discloses that a plurality of methods are available for an electronic watermarking or that electronic watermarked data is printed out. 2 -

As recited in new Claims 65 and 66, the present invention includes, among others, the feature of designating a timing for applying an electronic watermark to data from among a plurality of timings until the data is transmitted. According to this feature, it is possible to apply an electronic watermark at a timing from among a plurality of timings until the data is transmitted, according to a purpose.

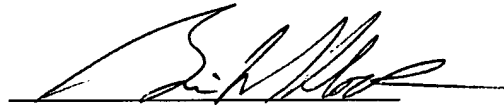
As described above, the cited art does not disclose or suggest setting a timing for applying an electronic watermark to data. 3 -

For the foregoing reasons, Applicant submits that the present invention recited in Claims 1, 15, 27, 41, 65, and 66 is patentable over the cited art, whether that art is taken individually or considered in combination. The dependent claims are patentable for at least the same reasons as the claims from which they depend, as well as due to the additional features that they recite.

In view of the foregoing, this application is believed to be in condition for allowance. Favorable reconsideration, withdrawal of the rejection, and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 721-5427. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian L. Klock", is written over a horizontal line.

Attorney for Applicant  
Brian L. Klock  
Registration No. 36,570

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200  
BLK/lmj



VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

1. (Amended) An information processing apparatus comprising:

storage means for storing data;

[electronic watermarking means for applying an electronic watermark to said data stored in said storage means;

instruction means for instructing said electronic watermark means to employ a timing for applying an electronic watermark to said data;] and

setting means for [arbitrarily setting said timing for each data set stored in said storage means] setting a timing for applying an electronic watermark to the data when storing the data in said storage means.

2. (Amended) An information processing apparatus according to claim 1, [further comprising:

communication means for transmitting said data stored in said storage means,]

wherein said setting means is capable of [arbitrarily] setting at least a timing for transmitting said data [from said communication means] stored in said storage means, and a timing for storing said data in said storage means.

3. (Amended) An information processing apparatus according to claim 1, [further comprising:

output means for outputting said data from said storage means;]

wherein said setting means is capable of [arbitrarily] setting at least a timing for outputting said data [from said output means] stored in said storage means, and a timing for storing said data in said storage means.

4. (Amended) An information processing apparatus according to claim 3, wherein said [output means outputs data] data is outputted after an electronic watermark has been removed from said data.

5. (Amended) An information processing apparatus according to claim 4, further comprising:

display means for providing a display of [based on] said data [output by said output means], wherein said display means displays said data [while] to which an electronic watermark is applied [for said data, and

wherein said output means outputs data after an electronic watermark has been removed from said data].

6. (Amended) An information processing apparatus according to claim 3, wherein [said output means outputs] said data is outputted by using an output device that is capable of communicating with said information processing apparatus.

7. (Amended) An information processing apparatus according to claim 6, wherein [said output means employs said output device to remove an electronic watermark from data and to output the resultant data] the electronic watermark is removed from said data by said output device.

10. (Amended) An information processing apparatus according to claim 1, [wherein said electronic watermarking means is capable of using a plurality of methods to apply an electronic watermark, and]

wherein said setting means is capable of designating [an electronic watermarking method for said data] one of a plurality of electronic watermarking methods.

15. (Amended) [A communication network comprising:  
an information processing apparatus for applying an electronic watermark for data; and  
an output device for outputting data,  
said information processing apparatus including  
storage means for storing data,

electronic watermarking means for applying an electronic watermark to said data  
stored in said storage means,

instruction means for instructing said electronic watermark means to employ a timing  
for applying an electronic watermark to said data, and

setting means for arbitrarily setting said timing for each data set stored in said storage  
means]

An information processing system having plurality of information processing  
devices, comprising

storage means for storing data; and

setting means for setting a timing for applying an electronic watermark to the data  
when storing the data in said storage means.

27. (Amended) A control method for an information processing apparatus  
comprising:

[a storage step of storing data;

an electronic watermarking step of applying an electronic watermark to said data stored at  
said storage step;

an instruction step of instructing said electronic watermark means to employ a timing for  
applying an electronic watermark to said data; and

a setting step of arbitrarily setting said timing for each data set stored at said storage step]



a registration step of registering data in a memory; and  
a setting step of setting a timing for applying an electronic watermark to the data when  
registering the data in said registration step.

41. (Amended) A control method for [a communication network, which includes an information processing apparatus which is capable of applying an electronic watermark for data and an output device that is capable of outputting data] a system having plurality of information devices, said control method comprising:

[a storage step of storing data;  
an electronic watermarking step of applying an electronic watermark to said data stored at said storage step;  
an instruction step of instructing said electronic watermark means to employ a timing for applying an electronic watermark to said data; and  
a setting step of arbitrarily setting said timing for each data set stored at said storage step]  
a registration step of registering data in a memory; and  
a setting step of setting a timing for applying an electronic watermark to the data when  
registering the data in said registration step.